

PUBLIC NOTICE

NOTICE OF PROPOSED ADMINISTRATIVE ORDER AND OPPORTUNITY TO COMMENT

RESPONDENT: Harrisville Central School District
14371 Pirate Lane
Harrisville, NY 13648

SITE/FACILITY: Harrisville Central School
14371 Pirate Lane
Harrisville, NY 13648

PERMIT NUMBER: Not applicable

DOCKET NO. SDWA-02-2010-8502

PUBLIC NOTICE NO. 2010-43

COMPLAINANT: Dore LaPosta, Director
Division of Enforcement and
Compliance Assistance
U.S. EPA, Region 2
290 Broadway
New York, NY 10007-1866

PUBLIC COMMENT PERIOD: October 18, 2010

SUMMARY & DESCRIPTION OF VIOLATION: EPA is providing notice of a proposed administrative order for alleged violations of the Safe Drinking Water Act (Act). EPA is also providing notice of opportunity to comment on the proposed administrative order.

Part C of the Safe Drinking Water Act (SDWA) specifically mandates regulation of the underground injection of fluids through wells to ensure that the quality of underground sources of drinking water is protected. Section 1422 of the SDWA requires the EPA to administer UIC programs in states that do not have approved UIC programs. New York has not acquired primacy over the UIC program pursuant to 40 C.F.R. Part 147 and, therefore, the EPA administers the program in New York.

The Complaint addresses a well that is owned/operated by Harrisville Central School District (Respondent).

Respondent, without authorization by rule or permit, injected wastewater into drains leading to an injection well. Respondent therefore failed to comply with 40 C.F.R. §144.11.

The fluids were injected into or above a local aquifer, which is an underground source of drinking water (USDW), as defined in 40 C.F.R. §144.3 and §146.3. Respondent's actions may have caused a violation of primary drinking water regulations or may otherwise adversely affect the health of persons and, therefore, Respondent is in violation of 40 C.F.R. §144.12.

RELIEF SOUGHT: Respondent shall be ordered to cease injection of vehicle service bay wastewater and sample the drainfield pursuant to the approved well remediation/closure plan. Respondent shall also remediate the injection well as necessary based upon the sampling results.

FOR FURTHER INFORMATION: Douglas McKenna, Chief, Water Compliance Branch, EPA Region 2, 290 Broadway, 20th Floor, New York, New York 10007 (212) 637-3767.

Persons wishing to review documents filed in these proceedings, comment upon the proposed assessments, or otherwise participate in any of the proceedings, should contact the person named above. Unless otherwise noted, the administrative record for these proceedings is located in the EPA Regional Office identified above, and the files will be open for public inspection during normal business hours. All pertinent information submitted by the Respondent is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information.